



## GREENWOOD COMMON COUNCIL AUGUST 15, 2005 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which Councilman Ron Bates offered the invocation.

<b>PRESENT:</b>	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; Clerk-Treasurer Jeannine Myers; and City Attorney Shawna Koons-Davis.
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Mr. Bates moved to accept the minutes of the regular session of August 1<sup>st</sup> as presented. Second by Mr. Bless. Vote: Ayes. Motion carried.

The City Attorney had distributed her litigation report. She commented that foreclosures have caused the report to grow.

Mr. Bates reported that the Plan Commission approved the Trotters Point request and held hearings for Indiana American Office Parke, a replat for Section 2. They also discussed annexation for Honey Creek Commons. The Commission also looked at the site development plans for Re-Max and the Ray Skillman Speed Shop.

**ORDINANCE No. 05-12** – An Ordinance Fixing Salaries of Appointed Officers and Employees of the City of Greenwood, Indiana for the Year 2006. Mr. Deer moved to pass Ordinance No. 05-12 through first reading. Second by Mr. Bless. Mr. Bates moved to amend the salaries of the Board of Works members under both the Board of Works Department and the Sanitation Department from \$11,812 to \$11,435 – the same as last year. Second by Ms. Reed. Vote: Ayes. Motion carried. At this point, Mr. Bates also moved to leave the position of summer intern in the Mayor's office at \$5,000 but not fund it in the overall budget. Mayor Henderson understood that this leaves the position ready to be funded if the Council approved at some future time. Second by Mr. Armstrong. Vote: Ayes. Motion carried. Ms. Reed questioned the \$32,200 for part-time and substitute clerical help in the Sanitation Billing Office. Office Manager Arnold Kaptain, who has a staff of six, told the Council that the volume of work produced in his office cannot be produced without extra hours or extra staff. The \$32,200, he added, allows his office to do the work that is necessary and not fund another full-time person with benefits. Mr. Kaptain indicated that they have spent approximately \$18,000, not quite 60%. This led to discussion as to whether overtime should be discussed as a budget issue. Ms. Reed then moved to reduce salary increases from 3.3% to 3.0% and all adjustments to \$1,000 with all future requests for adjustments be justified through the Human Resources Department. Second by Mr. Hardin. Mayor Henderson commented that the Council had discussed and approved the 3.3% increase, which was also based on cost of living increase figures. He encouraged the Council to leave the increase at 3.3%. In response to Mr. Hardin, Paige Gregory of Umbaugh stated that they project a balance of roughly \$300,000 in cash and \$200,000 in investments left in the General Fund at the end of 2005, or about \$537,000. This, of course, depends on what is spent and what is brought in during the rest of the year, she added. For 2006, the estimate is about \$279,000 for an ending balance, said Ms. Gregory, and a deficit of about \$850,000 for 2007 – based on the current rate of spending. In response to the Mayor, Ms. Gregory noted that growth only affects the tax rate. She is assuming an increase each year of 3.9% on property tax dollars. Mr. Hardin called for City departments to "tighten their belts". Mayor Henderson stated that he has heard this same scenario since he was Police Chief. He said that the City has experienced good growth and the tax increase was passed not because of what the City is doing but because of what the State legislature did by removing the inventory tax, etc. The Mayor asserted that he feels the City is being fiscally responsible and can fund this budget without a tax increase next year – this is about treating the City employees fairly. Mr. Hardin recounted that he has called for long range planning in the past and said that he wants cuts in the increases in the budget. Mayor Henderson asserted that every year the City has \$.5 million to

\$ .75 million left in the budget unspent and that there was money left one year when the budget was reduced by \$.5 million. Mr. Armstrong pointed out that, looking at the total salaries of \$784,147 for 2005, the difference between 3.3% and 3% is 23,352.24. The additional monies are not taken into account, he said. Mr. Deer said then that he suggested any cuts be in other areas besides personal services. Mr. Hardin argued for planning for worst case scenario. Mr. Deer said that a tax increase would not necessarily be needed – looking for other sources of income was only one suggestion. Mr. Armstrong agreed that the cash balance was different each year, but that did not equate to a rate change. Ms. Gregory explained that her projection used the 2005 budget amount that was certified - \$10.7 million – and that if roughly \$9.5 million is spent as in the past there will be money left over. The amount that has been certified was used in the projection and she agreed that it did paint a worst case scenario. After more discussion, there was roll call on the motion to amend: Ayes – Hardin, Reed, Armstrong, Bates; Nays- Bless, Deer, Gibson. Motion carried. In response to Mr. Bates, Ms. Koons-Davis confirmed that the Police Merit Commission members received \$70 per meeting last year. Mr. Armstrong moved to move the \$70,000 for Engineer from the funding column to the title, making it an unfunded position with a set salary. Second by Mr. Hardin. When the adjustments are made available, said Mr. Armstrong, then there could be an adjustment. The only salaries that can be changed in the year in which they have been fixed are public safety salaries, said Ms. Koons-Davis. Mr. Deer understood that the salary did not have to be moved to the left, that any position could be unfunded. The City Attorney agreed that there could be simply a notation that the position is unfunded. Vote: Ayes. Motion carried.

At this point, Mayor Henderson explained his objections to including the salary of the Director of Operations in the 3% increase and the \$1,000 limit to adjustments. He indicated that the salary was drastically cut last year and cited the supervisory duties and work in coordinating projects. The Mayor told the Council that he did not consider that salary an adjustment but as putting the salary where it should be. He urged that the position be well paid, at least or more than the Street Commissioner. Ms. Reed suggested an executive session before the next meeting to discuss the issue. The City Attorney will check the statute to see if it meets the criteria for the sort of personnel issue that can be discussed in executive session. Mr. Hardin commented that there has already been an amendment to the salary ordinance and did not think exceptions were appropriate. Again, the Mayor said that he did not consider this salary an exception but thought it was a separate issue, because he thought that the salary was under-funded by \$15,000 last year. Mr. Bless then moved to use the 2004 salary for the Director of Operations + 3% + the \$1,000 increase. Second by Mr. Bates. After discussion, Mr. Bates withdrew his second, as he did not want to use the 2004 salary. Second by Mr. Deer. Vote: Ayes – Bless, Deer, Gibson; Nays – Hardin, Reed, Armstrong, Bates. Motion fails. Mr. Hardin pointed out that when decisions were made for the position of Director of Operations, it in no way reflected on the individual filling that position. When he suggested the cuts last year, he added, it was because the previous Council decided not to create the position and it was put in the budget, although apparently no one noticed. Mr. Deer stated that he was not in favor of cutting the position last year and said he feels there should be discussion as to why the position is not justified and what it is doing. Mr. Hardin called for the question on the amended salary ordinance - reducing all increases to 3% and lowering all adjustments to \$1,000 above the 3%. Vote: Ayes – Gibson, Hardin, Reed, Armstrong, Bless; Nays – Bates, Deer. Vote on amended salary ordinance: Ayes – Reed, Armstrong, Bates, Hardin; Nays – Bless, Deer, Gibson. **PASSED FIRST READING.**

**ORDINANCE No. 05-08** – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.0 Acres Located on the South Side of Demaree Road and West of Honey Creek Road, and Commonly Known as the Cobblestone, LLC Property. **POSTPONED UNTIL SEPTEMBER 7, 2005 MEETING FOR FIRST READING AND PUBLIC HEARING.**

**ORDINANCE No. 05-10** – An Ordinance to Amend the Texts of Greenwood Common Council Ordinance No. 02-12, Subdivision Control and Land Development, and Greenwood Municipal Code (1993), As Amended, Chapter 10, Article 20, Section 10-504, Subsection 20.05.01 (5); Section 10-506, Subsection 20.07.11; Section 10-511, Subsection 20.11.01; and Section 10-513, Subsections 20.13.01 and 20.13.02, to Allow Commercial Developers to Record Plats Prior to Completion of Infrastructure and to Clarify the Requirement Regarding Developer Installation of Guardrails Near Detention Ponds. Mr. Bates moved to pass Ordinance No. 05-10 through second reading. Second by Mr. Hardin. Mr. Bates moved to amend Ordinance No. 05-10 by correcting the typographical spelling error of “REGARINDG” in the eighth line of the caption to “REGARDING”. Second by Mr. Hardin. Vote: Ayes. **AMENDED.** Vote on Ordinance No. 05-10 as amended: Ayes. **PASSED SECOND READING.**

**ORDINANCE No. 05-11** – An Ordinance Providing For an Additional Appropriation From the City Court Late Fee Fund to the Greenwood City Court For Use in Contracting for Post-Conviction Services (\$12,000). Mr. Hardin moved to pass Ordinance No. 05-11 on second reading. Second by Mr. Bates. Vote: Ayes. **PASSED SECOND READING.**

**RESOLUTION No. 05-12** – A Resolution of the Greenwood Common Council to Adopt the Written Fiscal Plan For the Annexation of Approximately 68.0 Acres Located on the South Side of Cutsinger Road and East of Honey Creek Road (1893 S. Honey Creek Road), Referencing Annexation Ordinance No. 05-14. **INTRODUCED.**

**ORDINANCE No. 05-13** – An Ordinance Providing For an Additional Appropriation From the General Fund to the Board of Public Works and Safety for Special Census (\$225,000). Mayor Henderson noted that this is based on the report we received from the Census Bureau, although he is hopeful the figure is high. **INTRODUCED.**

**ORDINANCE No. 05-14** – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 68 Acres Located on the South Side of Cutsinger Road and East of Honey Creek Road (commonly known as J. Greg Allen and Associates Property). **INTRODUCED.** Ken Zumstein of J Greg Allen & Associates was present to give a brief presentation. They are requesting to annex this parcel, leaving the zoning as R-2. The number of lots, per a Plan Commission condition, will be limited to 120. Mr. Zumstein asked for the option of increasing from 108 lots to 120 if the Honey Creek Legal Drain is vacated. They are in the process of vacating the legal drain on the Bright property to the north, said Mr. Zumstein. To comply with State statute, Mr. Bates moved to postpone further action until the October 17<sup>th</sup> meeting. Second by Mr. Hardin. Vote: Ayes. **POSTPONED UNTIL OCTOBER 17, 2005 FOR FIRST READING AND PUBLIC HEARING.** Mr. Zumstein will be present at first reading.

**ORDINANCE No. 05-15** – An Ordinance for Appropriations and Tax Rate. **INTRODUCED.** A draft of the 2006 budget (Form 1) had been provided to Council members. Mayor Henderson said other information will be sent to the Council next week.

**ORDINANCE No. 05-16** – An Ordinance Fixing Salaries of Elected Officials of the City of Greenwood, Indiana For the Year 2006. Mayor Henderson noted that the Council salaries were left at the 2004 level as approved by the Council President, the Clerk-Treasurer and the Mayor's salaries show last year's increase + 3.3%, which he said would need adjustment. **INTRODUCED.**

Under miscellaneous business, Mr. Deer requested a secondary item to be provided with the salary ordinance – a spread sheet that shows the 2005 salaries for each position plus the 2006 proposed salaries, so the Council could see the net impact.

The Clerk-Treasurer indicated that she had passed out a comparison of investments for the past three years and a draft of the cash analysis.

Mayor Henderson reported on the meeting with Governor Daniels regarding legislation on funding local government a week and a half ago. The governor was pleased, he said, to see the plans presented and was supportive of the direction we are going. There was also a meeting with Senator Kinley, who was excited about developing funding mechanisms.

With no further business, the meeting adjourned at 8:20 p.m.

After the meeting adjourned, the Director of Operations came to the podium and provided a status report on the Emerson Avenue and Main Street turn lane project.